

U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

November 15, 2007

VIA HAND DELIVERY

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl St., Room 755
New York, NY 10007

Re: Zidani v. Chertoff, et al.
07 Civ. 8693 (LTS)

Dear Judge Swain:

This Office represents the defendants, Michael Chertoff, Secretary of the Department of Homeland Security, Eduardo Aguirre, Director of the United States Citizen and Immigration Services ("USCIS"), Andrea Quarantillo, New York District Director of USCIS, and Michael Mukasey, Attorney General of the United States (collectively, the "Government"), in the above-referenced mandamus proceeding. Plaintiff seeks to compel adjudication of her I-485 Application for Permanent Residence.

The Government's answer or other response to the Complaint is due on December 10, 2007. At this time, this Office has been in contact with Plaintiff and with the various defendants to ascertain the status of Plaintiff's application for Permanent Residence. With the consent of Plaintiff, the Government now respectfully requests an extension of 30 days of the deadline for the Government's response, until January 10, 2007. This extension of time will enable this Office to better determine the status of Plaintiff's application, and to attempt to expedite a decision on the application so as to avoid the need for further litigation.

Additionally, if the Court grants this request, the parties respectfully request an adjournment of the pretrial conference, currently scheduled for December 4, 2007, at 3:30 p.m., until after the deadline for the Government's response.

MEMO ENDORSED

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do file such certification to Chambers.

faxed to USA 11-19-07
Chambers of Judge Swain

This is the Government's first request for an extension. Thank you for your consideration of this request.

Respectfully requested,

MICHAEL J. GARCIA
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Southern District of New York

By:




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*The requested extension is granted, and the
conference is adjourned to January 24, 2008,
at 4:15 pm.*

SO ORDERED.


11/16/2007
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE